

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 36347

STATE OF IDAHO,)	2010 Unpublished Opinion No. 353
)	
Plaintiff-Respondent,)	Filed: February 17, 2010
)	
v.)	Stephen W. Kenyon, Clerk
)	
DUKE WILLIS HELM,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the Seventh Judicial District, State of Idaho, Teton County. Hon. Jon J. Shindurling, District Judge.

Judgment of conviction and unified life sentence, with a minimum period of confinement of eight years, for lewd conduct with a minor under the age of sixteen, affirmed.

Molly J. Huskey, State Appellate Public Defender; Justin M. Curtis, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Kenneth K. Jorgensen, Deputy Attorney General, Boise, for respondent.

Before LANSING, Chief Judge, GUTIERREZ, Judge
and GRATTON, Judge

PER CURIAM

Duke Willis Helm was convicted of lewd conduct with a minor under the age of sixteen, Idaho Code § 18-1508. The district court imposed a unified life sentence, with a minimum period of confinement of eight years. Helm appeals, contending that the sentence is excessive.

Sentencing is a matter for the trial court's discretion. Both our standard of review and the factors to be considered in evaluating the reasonableness of a sentence are well established and need not be repeated here. *See State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App. 1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing

the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho 722, 726, 170 P.3d 387, 391 (2007). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

Therefore, Helm's judgment of conviction and sentence are affirmed.